



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

OFFICE OF CHIEF PUBLIC DEFENDER
30 TRINITY STREET - 4th Floor
HARTFORD, CONNECTICUT 06106
(860) 509-6405 Telephone
(860) 509-6495 Fax

DEBORAH Del PRETE SULLIVAN
LEGAL COUNSEL/
EXECUTIVE ASSISTANT PUBLIC DEFENDER
deborah.d.sullivan@jud.ct.gov

Testimony of
Deborah Del Prete Sullivan, Legal Counsel
Office of Chief Public Defender

Raised Bill No. 34
An Act Concerning Computer Crimes Against Children

Judiciary Committee Public Hearing
March 22, 2010

The Office of Chief Public Defender has the same concern in regard to *Raised Bill No. 34, An Act Concerning Computer Crimes Against Children*, as raised in the previous legislative session that more youth will be arrested if this bill is passed.

Current law provides that teenagers will not be prosecuted if they engage in consensual sexual activity, *including intercourse*, if their age difference is 3 years or less. This office is aware of certain instances in which teens have been arrested for possession of child pornography as a result of consensually exchanging certain photos of themselves with the very same person with whom he/she could have or is having sexual intercourse and not subject to prosecution because they are within 3 years of each other's age.

This office suggests that language as contained in C.G.S. §53a-71, Sexual Assault in the second degree, be inserted to exempt from prosecution those persons whose age is within 3 years of each other and who consensually exchange such photographs of themselves.